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Dated: January 21, 2005

Signature: _____

(Raymond Garguilo, Jr.)

Docket No.: SPINE 3.0-437 CPCPCPCPCPCPCPIICPCON
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Zubok et al.

Application No.: 10/783,152

Confirmation No.: 7040

Filed: February 20, 2004

Art Unit: 3738

For: PARALLEL DISTRACTOR AND RELATED
METHODS FOR USE IN IMPLANTING AN
ARTIFICIAL INTERVERTEBRAL DISC

Examiner: Not Yet Assigned

NOTIFICATION OF LOSS OF ENTITLEMENT TO SMALL ENTITY STATUS

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Assignee, SpineCore, Inc., hereby notifies the Patent and Trademark Office that it is not entitled to status as a small entity, and that the claim for small entity status filed by the Applicant is hereby withdrawn.

Dated: January 21, 2005

Respectfully submitted,

By: _____

Raymond Garguilo, Jr.

Registration No.: 50,930

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STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Rafail Zubok and Michael W. Dudasik

Application No./Patent No.: 10/783,152 Filed/Issue Date: February 20, 2004

Entitled: PARALLEL DISTRACTOR AND RELATED METHODS FOR USE IN IMPLANTING AN ARTIFICIAL INTERVERTEBRAL DISC

SpineCore, Inc., a Corporation
(Name of Assignee) (Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☒ the assignee of the entire right, title, and interest; or
2. ☐ an assignee of less than the entire right, title and interest.
The extent (by percentage) of its ownership interest is _____ %
in the patent application/patent identified above by virtue of either:

A. ☒ An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel 015385, Frame 0326, or for which a copy thereof is attached.

OR

B. ☐ A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: _____ To: _____
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☐ Additional documents in the chain of title are listed on a supplemental sheet.

☐ Copies of assignments or other documents in the chain of title are attached.
[NOTE: A separate copy (i.e., a true copy of the original assignment document(s)) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

Raymond Garguilo, Jr.
Signature

January 21, 2005
Date

RAYMOND GARGUILO, JR.
Printed or Typed Name

(908) 518-6342
Telephone Number

Authorized Signer for Assignee
Title